

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SCOTT DENING, an individual,

Plaintiff,

v.

GLOBE LIFE AMERICAN INCOME  
DIVISION a/k/a AMERICAN INCOME  
LIFE INSURANCE COMPANY, and  
GLOBE LIFE INC.

Defendants.

Case No. 1:23-CV-1117

Hon. Hala Y. Jarbou

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**CONCURRENCE PURSUANT TO LOCAL RULE 7.1**

Plaintiff's counsel emailed Mr. Bertini's counsel after the deposition was to occur, inquiring if Mr. Bertini would be produced for a deposition. Counsel indicated that he would not pursuant to their objections. With respect to Mr. Gray, he was a no-show yesterday, and his counsel never reached out regarding his attendance or rescheduling his deposition. Nevertheless, Plaintiff has reached out to counsel for both third party witnesses prior to filing this motion to inquire if they will agree to a future deposition despite ignoring the subpoenas the first time

around. Plaintiff has not received a response. Although this is a motion to compel third parties, Plaintiff reached out to Defendant, AIL, to determine if they had a position regarding Plaintiff's motion. Plaintiff has not yet received a response, although neither their concurrence nor their objection would not obviate Plaintiff's motion.

Respectfully submitted,

/s/ John R. Kane

John R. Kane, Esquire